

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CHARLES E. HILL,

Plaintiff,

ORDER

v.

10-cv-806-wmc

DR. CHARLES HUIBREGTSE, *et al.*,

Defendants.

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State inmate Charles E. Hill filed a proposed civil action under 42 U.S.C. § 1983, alleging that he was denied medical care while incarcerated at the Redgranite Correctional Institution. On March 14, 2013, the court granted the defendants' motion for summary judgment and dismissed the complaint without prejudice after finding that Hill failed to exhaust available administrative remedies as required by the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a). Hill has now filed a motion to withdraw his complaint.

The court construes Hill's motion as a request for voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A), which allows dismissal upon the plaintiff's request before the opposing party serves either an answer or a motion for summary judgment. Because this case was already dismissed on defendants' summary-judgment motion, Hill's request for leave to dismiss the complaint will be denied as moot.

ORDER

IT IS ORDERED that the motion for voluntary dismissal filed by plaintiff Charles E. Hill (Dkt. # 51) is DENIED as moot.

Entered this 17th day of September, 2014.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge